

A DAY OF OFFICIAL BURLESQUE OPENS THE NEW MUNICIPAL GOVERNMENT

(Continued From Page One.)

his seat. Simultaneously there appeared a great bunch of chrysanthemums on the table before him.

The Inaugural Address.

The Mayor then read his inaugural address, which would have been more effective if he had been able to pronounce all the long words contained in it and had not substituted some of his own grammar for what had been supplied him. His address in full, as written, was:

Fellow Citizens.—The City of Honolulu, as a municipal organization, has just come into existence. I am sure it is the wish of every one of you, and of every citizen and resident, that the new government shall be honestly, effectively and economically administered. I promise you that I shall do everything in my power to make of City and County government a success. I believe that those who have been elected with me—the Supervisors, the City and County Sheriff, the City and County Treasurer, the City and County Clerk, the City and County Attorney, the City and County Auditor, and the Deputy Sheriffs of the various districts—all wish as I do, each to do his duty and to work together for the best interests of the whole people. I believe that if we all have this purpose we can work together in harmony and give a good city government.

It is true that the Municipal Act is not clear in all of its provisions, and that differences of opinion may arise as to what the law directs and what it requires. Some such differences have already arisen. But many of these differences can be harmonized by frank and honest discussion between those who differ, and where they can not be, it is the duty of the courts to decide what the law is; and when the courts have decided, it will be the duty of all of us to accept the law thus declared and to carry it out. I promise for myself that I shall do this cheerfully.

In this matter we have the experience of the County Act and the County government under it. We know that questions arose under that act. Some of them the courts decided. And we know that in spite of these questions and differences and the lawsuits that arose, county government has been on the whole satisfactory throughout the Territory. At any rate the people of Hawaii would not now be willing to give up local self-government.

City Government an Advance.

City and County government, which we now begin, is a still further advance in local self-government. If it is to reach its highest success the people of the City and County must take an active and intelligent interest in it. If they do, it will greatly help me as Mayor and will greatly help every other City and County official. But more than this, it will hasten the time when full city powers will be given to the city government, and this shall be a city in the real sense in which that term is generally understood on the mainland. The time must come when the City and County must control matters that are essentially City and County matters, such as waterworks, sanitary matters, and sewers, and must control its own sources of revenue.

The importance of this will grow as this City and County become more and more a fortified and garrisoned Army and Navy post, and the need of cooperation in many matters, such, for instance, as roads, police, and health matters, becomes more essential and necessary. For cooperation between two authorities is much easier than among three, which will be necessary if the present system of Territorial and City government continues.

A City Hall.

Honolulu is a capital city. It is the first American city and American outpost reached from the Orient. It can not long continue to house her city officers in rented rooms in a commercial building. A suitable city hall is something for which the new City and County government should begin at once to mature plans. A suitable site should be provided from the publicly owned lands, and means should be found to provide for the cost of such a building.

Small Parks and Squares.

The plan of small parks and squares as playgrounds for the children and breathing places for the community should be extended so that every part of the city would have public grounds of this kind for the meeting and recreation place of the people of every neighborhood. As the city grows these will become more and more necessary, and at the same time harder and harder to get. For these the publicly owned lands within the City and County could well provide.

Roads and Road-Building.

The roads of the City and County are of the greatest importance. The entire public is interested in them. The best methods of road-building should be employed, and roads, once built should be kept constantly in repair. If this is done, it will not be necessary to rebuild roads so often, and not only will they cost less in the long run, but they will serve their purpose a great deal better. I intend to devote a great deal of my time and attention to the matter of roads and road repairs. It shall be one of my ambitions to give the City and County as fine a system of well-kept roads as it is possible to do with the money available.

The Belt Road.

Naturally a belt road entirely around this island is one of the road developments which is most earnestly looked for. It is wanted on many grounds. It is not only wanted because of the increasing pleasure driving it will afford, and as a tourist attraction, but because it is necessary for the development of large portions of the island. It must be a very important part of any complete plan of roads for the City and County.

Military Roads.

But in planning and building this

road, and the side roads that should be built from it, so as to reach all places to which a road should be built, as well as in planning other new road work, the military plans of the national government should be considered. It is the announced plan of the national government to make of the island of Oahu, all of which is included in the City and County of Honolulu, a strongly fortified and a strongly garrisoned Army and Navy post. It is fair to assume that the laying out and building of military roads is a part of this plan. It is probable this military road plan will be very extensive. If that is so, it ought to be taken into consideration in planning our own roads. We ought not to build roads or plan roads that will not fit in with the plans for Army roads. It is very likely that in large degree the two sets of roads, the one the City and County must undertake and the one the Army authorities will put through, will fit in with each other and that by cooperation there may be mutual advantage.

Cooperation With the Army.

Before such an important plan of road building is undertaken, the City and County, through its engineering department, should obtain very accurate and very complete information regarding grades, material to be encountered, land ownership along the line of the proposed roads, and the present and future need of side roads necessary to develop the country, and a very comprehensive plan should be drawn up, one that can be progressively followed until completed. The City and County should confer with the Army authorities on the basis of this plan and if cooperation is possible, a road plan should be devised which will meet both public and Army needs.

In order to carry out the part of the City and County in such a program, the Legislature should be asked to give the authority to adopt in part at least the California plan of providing for the cost of construction. A part of the cost should be paid out of general taxation—bonds for this being issued, perhaps—and the remainder of the cost should be by a special tax on the property benefited. Thus this much desired improvement—a complete system of good roads, and the belt road in particular, could be built without burdening the current revenues, and without increasing the tax rate. This system of providing for the cost of roads is in general use in mainland cities, and throughout California, and is satisfactory wherever adopted.

Finances of the City.

In regard to the current revenues and expenditures of the City and County, the City and County as the successor of the County of Oahu, begins with the sources of revenue and the financial resources which the County had. Thanks to the care and good financial administration of the last Board of Supervisors of the County, for which all the members give large credit to the Chairman, Charles Huestead, Jr., these resources include a balance of county funds which might have been spent by the county, estimated at \$18,278.95. The estimated receipts from the Territory for the next six months are \$32,500 per month, or \$195,000. In addition it is estimated that there will be received from the Territory, as a balance from the amount due for the last six months of 1938, \$31,800. Other revenues to the general fund are estimated at \$5400 for the six months, making a total available in the general fund for the first six months of this year of \$250,478.95, besides the special road tax funds. Of this amount \$18,278.95 is a balance carried over from last year. A good sized balance in the treasury is necessary so that the City and County may be prepared for emergencies and also to prevent the necessity of registering warrants and so that the employees of the City and County and those who furnish it with supplies may always be sure of getting cash for their warrants. It seems to me therefore that a balance as large as this or a little larger, say \$20,000, should always be retained as a treasury balance. If this is done the amount available from the general fund in addition to the special road funds for the first six months of the year is \$230,478.95, or \$38,413.15 a month.

The monthly payrolls and materials and supplies for the various departments including the elected officers of the city and county, police, fire, electric light, and garbage departments, the care of the parks, including Kapiolani Park, the band, and the Leahi Home, on the basis of the same expenditures under the County, may be estimated at \$19,250 per month. Adding to this the salaries fixed by law, makes a total of what may be called fixed expenditures of \$22,445. On the basis of an available monthly income to the general fund of \$38,413.15 this would leave \$15,968.15 per month available for road work besides the special road tax funds which can be used only in the districts where they are collected. The balances remaining in these funds will give an estimated monthly allowance for the first three months of the year of, in round numbers, Honolulu, \$590; Ewa and Waiānae, \$700; Waiānae, \$125; Koolauloa, \$175; Koolāpoko, \$175; a total of \$1675.00; making a total probable amount available for road work from all sources, \$17,643.15 per month for the first three months of the year with an increase of \$2225 a month from the special road funds for the second three months.

It will thus be seen that to accomplish anything like what is hoped in the road department the greatest economy and efficiency in all the departments will be necessary. With the cooperation of the Board of Supervisors upon which I am sure I can rely, much may be accomplished.

Section 146 of the Municipal Act provides that all "Boards, commissions and officers of the County of Oahu by appointment" shall hold office no longer than until noon today. But in order that there shall be no break in the government, the same section provides that the Mayor-elect, during the month of

December "shall make all the appointments to be made by him" and the persons so appointed shall qualify and take office at noon today. These appointments I have made as the law directs. I understand from the newspapers that my authority to make some of these appointments is questioned. I can only say that in making them I was doing my duty under the law as I understand it. If I had not made appointments to the positions I did I should have failed in my duty as I understand it. Whenever the courts say I did not have the power to make any appointment in the list I shall cheerfully accept the decision. In making these appointments I have retained heads of departments whose experience and record made their services valuable to the city.

Let There Be Harmony.

The Board of Supervisors are a coordinate branch of the City and County government. The law gives the Board large powers. As Mayor I have no desire to take any of its powers from it. The law also gives the Mayor large powers and important duties. I do not think that the Board wants to take any powers from the Mayor. If each is sincerely desirous of using only the powers given by the law there will be no trouble about harmony between the Board and the Mayor. I certainly want harmony in order that all connected with the City and County government may work solely for the public good.

A Few Lapsi Linguae.

The Mayor started off the readings of the above very bravely and gave the opening paragraphs in a way that denoted careful rehearsal. In the middle he balked at a few of the words, calling "supervisors" "emical" and "elding" "supervisors" into "supervisors." When he fell foul of "coordinata," however, he crumpled altogether. He was sure that there should be a new city hall as it wasn't dignified for the city and county government to meet in a "comical" building. It was decidedly painful to listen to the stumbling, and everyone, including the Mayor himself, was very glad when the "message" was concluded.

No Applause.

The reading of this document was received in absolute silence, not a hand being given. The majority listened to it attentively, although some of the Republican Supervisors took occasion of the period to study papers they had brought with them.

Quinn Opens the Ball.

Supervisor Quinn was the first to rise to his feet after the Mayor had announced that there would be no meeting of the Board. "I think that now we are all here we would like to hold a meeting for organization, anyway," he said. "As I understand the Municipal Act, all the offices are now open. As we stand at present, no officer can qualify; we will have no County Attorney, no County Clerk, no Sheriff. Consequently, we will have no government at all until tomorrow evening at half-past seven. I therefore ask you to call the Board to order for the purpose of organization. I make this as a motion." McClellan rose to object, but was cut off by Cox and Kane, who both seconded the motion. McClellan got up and pointed out that there was no meeting to put a motion before and no necessity for a meeting then anyhow. After Aylett had repeated Quinn's arguments that the elected officials must qualify in order to carry on the government, McClellan suggested that a special meeting might be called, if the Mayor saw fit to do so. This suggestion was made after Attorney E. M. Watson had whispered in his ear. "There is a motion before the house," said Aylett.

Secretary Rhodes whispered to Fern, who then announced: "There is no motion before the house."

McClellan then presented a motion that a special meeting be called, and Quinn objected to that. Several others took a hand in the discussion, the Mayor finally announcing: "There is a motion before the house that the City and County be organized."

A look of horror spread over Secretary Rhodes' face and Watson fought his way through the crowd to fresh air.

The Mayor put the motion and all voted "aye" but McClellan. This was the first vote taken, although it was written on the out-of-order sands. This bothered no one, however, on the Board.

First Roll Call.

The roll call was then taken, McClellan answering "no" to his name under the impression that he was voting for something.

"Have all responded to the roll?" asked the Mayor.

There was a chorus of "ayes" from the Board.

"It's a vote," solemnly announced His Honor.

After those who saw the joke had finished laughing at it, the Mayor called for the certificates of election. At this point in the disorder of business, however, the Mayor's secretary slipped him a note. This was a tip to put back his trolley and get on the right track. As a meeting could only be called on the written notice of the Mayor and the business specified, what had gone before amounted to nothing, although none on the Board appeared to realize it, the Mayor least of all.

"Wait a minute," said His Honor, who thereupon got busy in writing out a notice of meeting for the consideration of the bonds of the elected officials. No one even hesitated, however, and the discussion kept going while he wrote.

Cox objected to discussing bonds until the officials had taken the oath of office, and Quinn objected to doing anything until the Board itself had become organized.

The written call for a meeting was then read.

McClellan Brought Wrong Paper.

The Supervisors then presented their

bonds, all but that of McClellan being in order. He explained that he had had the wrong paper signed by Judge De Bolt. He had also forgotten to bring his certificate of election.

Quinn returned to his motion that the rules of procedure be immediately adopted. He had the proposed rules all written out and handed them to the clerk.

"Who made those rules anyway?" asked the Mayor. "Did this Board make them or just one man?"

"Well, they're here now to be adopted," answered Quinn, neglecting to go into the history of their formation.

"Yes," said Aylett; "it is now up to this Board to adopt them."

The Mayor ignored the presented rules and called for the bonds of the elected heads of departments. No one heard the call or paid any attention to it.

"I move that we adopt those rules," said Cox. "Until we do, we can't do anything else."

"In order to have this thing right, I will make another motion," interjected Quinn, who started in to make one, being interrupted by the Mayor.

"The chair insists that the rules of the old Board are in force; if we need new ones we can make them later," he said.

"The Mayor has no right to refuse a motion," said Aylett. "This Board is a legislative body."

Quinn again presented his motion.

"Motion duly made and seconded," announced Kalaauokalani.

"Question," chorused the Republicans.

The Mayor reread the call for a special meeting, emphasizing the point that it was held to consider and approve of bonds. No one paid any attention.

"The question for the adoption of the rules was put before you and duly seconded," said Ahia. "Now I demand that you put this question as duly seconded."

Another chorus of "Question!"

"All in favor of the question—you haven't read the question yet," said His Honor, looking around for assistance.

The clerk read the proposed rules, Secretary Rhodes furiously writing notes to McClellan in the meanwhile and counseling the Mayor.

Aylett moved that the rules as read by the clerk be adopted, making the eighth motion on the subject. Ahia seconded it.

McClellan objected according to notes, and began to read section 82 of the Municipal Act. Quinn rose to a point of order. McClellan had not filed his bond and consequently was not yet a member of the Board. Cheers from the audience.

"I call for the bond of the Sheriff," said the Mayor.

"There is a motion before the house," said Quinn.

"I overrule the motion," announced the Mayor.

Logan appealed from the ruling of the chair, Cox seconding the appeal. McClellan asked that the Board, out of courtesy, take a recess until he could get his bond fixed up. Rhodes shifted up close to the Mayor's elbow, who announced that he had to have someone to advise him, as the County Attorney wasn't doing it.

"I'll answer any questions you ask," retorted Cathcart. "You haven't asked for my advice yet."

Fern suggested that perhaps a recess would be a courteous thing to announce, while Quinn clamored for his motion. Fern asked if there was any objection to a recess. No one heard him, so no one objected. The Mayor then announced a suspension of business for fifteen minutes.

Aylett immediately called for the question. Courtesy was all right, but business was business. He and the Mayor wrangled over the recess question, while Cox called upon the clerk to put the question.

"I made a motion for a recess," objected the Mayor.

"No, sir," said Ahia; "the Mayor has no right to make a motion." Everybody laughed except Fern and McClellan. Quinn demanded order and the Mayor gallantly rose to the occasion.

"Be in order, citizens," he commanded.

Clerk Puts a Motion.

Kalaauokalani then undertook to put the motion that the Mayor be overruled. This proved too much, however, the County Attorney chipping in with the remark that the Mayor alone could put a motion.

"He has to put it whether he wants to or not," announced Logan, an announcement that flabbergasted the rest of the Board. The Mayor had forgotten along with the rest of them that a recess was being held, apparently, while Quinn still clamored for his motion. McClellan returned with his bond at this time, however, and business kept merrily on.

"Members," said Fern, "there is no business to be done except approve of bonds. The motion is out of order. I so rule."

Another appeal from the ruling, more points of order, and a final putting of the question by the chair. Mayor overruled by six to one.

Then the motion to adopt rules was renewed and the Mayor again refused to put it and the weary round began again. Finally Kane moved that Logan be elected temporary chairman to put the motion. "I call you down; you're out of order," said the Mayor.

Back and forth the discussion raged, the whole Board marking time under the impression that they were making progress. Logan said that the Mayor had practically opened the meeting when he read his address and that there was nothing to prevent the Board from doing any business it pleased. He hammered the table to emphasize his remarks. Quinn demanded that someone put his motion, and Logan proceeded to do so. It carried by six to one. The rules adopted by this motion appear elsewhere in this paper. They take practically all appointive power out of the Mayor's hands.

Fern again called for the bonds.

"I have a motion to make," said Aylett.

"You're out of order," said the Mayor.

"I appeal from your ruling," said Cox.

"I refuse to put your appeal," said Fern; "this is a special meeting by the rules."

"What rules?" asked Ahia; "our rules or the meat market rules?"

"No, not your rules; the rules of the law," retorted Fern.

Again Logan stepped into the breach and stated that under the rules he would for the first time respectfully demand that the question be put.

"I refuse," said Fern.

"For the second time I respectfully demand that you put the question."

"I refuse."

"For the third and last time I demand that you put the question."

"I refuse."

Quinn then started to put the question, but was pulled down, while Logan called for the vote. The Mayor was overruled, but called for bonds.

Aylett moved the following, being the identical resolution passed by the old Board of Supervisors prior to adjourning:

"Be It Resolved, That every and all boards, committees, commissions, offices, positions and employments heretofore created by the Board of Supervisors of the County of Oahu, whether by motion, vote, order, resolution or otherwise, except the same be created by ordinance, and now existing, be declared and the same are hereby abolished; and all motions, votes, orders, resolutions, rules and regulations creating or tending to create such boards, committees, commissions, offices, positions and employments be and the same are hereby repealed."

After the ring-around-a-rosy program had been gone through again the resolution was carried.

Fern again called for the bonds, after McClellan had moved that they be considered, and no one would second his motion. Cox then moved that the bonds be taken up, Ahia seconding the motion.

"No motion is necessary," said the Mayor. "I only call for them."

"Your call isn't enough," said Cox. "We're working under the rules now."

Fern bowed to the inevitable and put the motion, which carried. The bonds of all the elected officials were then introduced and approved. No legal advice was taken concerning them.

Standing Committees Named.

Kane then moved that the following be members of the regular standing committees:

Ways and Means.—D. Logan (chairman), Wm. Ahia, Andrew Cox.

Public Expenditures.—Wm. Ahia (chairman), D. Logan, Wm. Kane.

Roads, Bridges and Parks, and Public Improvements Committee.—J. C. Quinn (chairman), Wm. Kane, Wm. Aylett.

Police Committee.—Andrew Cox (chairman), J. C. Quinn, Wm. Ahia.

Fire and Electric Light.—Wm. Kane (chairman), Wm. Ahia, Wm. Aylett.

Sanitation and Health.—Wm. Aylett (chairman), D. Logan, Wm. H. McClellan.

The Mayor ruled the motion out of order. Logan made his first, second, third and last appeal and then put the motion, Fern protesting and calling for harmony and bonds.

The motion carried with six ayes, McClellan refusing to vote.

The roll call was then called again and the Board adjourned until this evening at 7:30.

The Mayor's Committees.

The Mayor got no opportunity yesterday to announce the committees he wants. He may do so tonight. His list is:

The rules of the late County Board of Supervisors, which I am advised are in force until changed, make it the duty of the chairman to name the committees. As chairman of the City and County Board of Supervisors, I have named the following committees:

Committee on Ways and Means.—Supervisor Ahia (chairman), Supervisor Aylett.

Committee on Public Expenditures.—Supervisor Aylett (chairman), Supervisor Quinn.

Committee on Roads, Bridges and Parks.—Supervisor McClellan (chairman), Supervisor Ahia.

Committee on Police Department.—Supervisor Cox (chairman), Supervisor Logan.

Committee on Fire Department.—Supervisor Logan (chairman), Supervisor Cox.

Committee on Sanitation and Health.—Supervisor Quinn (chairman), Supervisor Kane.

Committee on Electric Light Department.—Supervisor Kane (chairman), Supervisor McClellan.

Mayor Gets a New Cane.

The announced public reception after the meeting did not come off, everybody piling out of the decorated assembly room as soon as the Board adjourned.

His temporary office was filled with Democrats after the meeting, while in the corridor outside collected a number of his appointees, waiting for instructions as to how to get the offices he had named them for. Within, behind closed doors, were W. A. Kinney, G. J. Waller, Ed. Ingham, E. M. Watson, Supervisor McClellan, Johnny Wilson, H. N. Crabbe, His Honor, and Secretary Rhodes. The announced intention of the gathering was to present the new Mayor with a new cane and to hang leis about his official neck.

The cane is a beautiful one, silver mounted and engraved as follows: "Presented to Hon. Joseph J. Fern, first Mayor of Honolulu, by his friends."

His Honor carried it home in the original wrappings.

SPUR TRACK TO PEARL HARBOR

Honolulu is now in direct rail communication with Pearl Harbor naval station, for in the last three days the Oahu Railway & Land company has built a spur, 700 feet in length, connecting the main line of the railway from a point beyond Paaloa station, with the proposed gateway to the naval reservation. It was expected that the work would be completed last night.

The railway people put in the spur quickly and quietly. They will now be ready to transport supplies directly into the naval station, and perhaps in a few weeks the naval station railway within the reservation will be built. The navy people have a contract with the Hawaiian Mahogany Lumber company to deliver five or six thousand ohia railroad ties on the reservation, and deliveries were to commence this month. The ties will be landed from vessels at the railroad wharf and transported by rail to Pearl Harbor station.

NEUMANN WILL IS PROBATED

Judge De Bolt yesterday afternoon admitted to probate the last will and testament, together with the codicil to the will, of Elise S. V. Neumann, and letters testamentary were granted to Herman Focke and Inez Sophia Stackable, who were named in the will. The Judge ordered that an inventory of the property belonging to the estate be filed with the court within thirty days.

In the statement of Judge De Bolt, admitting the will to probate, a number of facts, which the court has determined to be true, are given. Mrs. Neumann died on or about September 1, 1908, being lost at sea somewhere between Mazatlan and San Francisco. The alleged will was executed on October 20, 1902, in the presence of Frank Andrade and B. L. Marx, in Honolulu.

The codicil to the will was drawn up on June 22, 1905, in London, England. In the summary of facts, Judge De Bolt states that at the time of drawing the first will and at the time of executing the codicil, the "testatrix was of sound and disposing mind, and competent to make a will."

It is generally believed that Mrs. Neumann was not in her right mind when she disappeared from the ship on which she was returning to San Francisco.

Court Notes.

The case of H. G. Middlemitch, etc., vs. John W. Cathcart, on the motion to docket and dismiss appeal, was argued before and submitted to the Supreme Court yesterday morning. The appeal on exceptions in the case of Nellie Hao vs. Hutchinson Sugar Plantation Company was also argued and submitted yesterday morning. Circuit Judge Robinson sat on the bench in place of Justice Ballou.

Samuel M. Damon and Allen W. T. Bottomley, garnishers in the suit of J. L. Howland against Byron O. Clark, made appearance in court yesterday morning through their attorneys and denied that they had at the time service was made upon them, nor have they now, any money or effects belonging to the defendant Byron O. Clark.

J. W. Leavitt & Co. of San Francisco have commenced suit against R. T. Moses of Hilo to secure the sum of \$240 for merchandise sold him. The Volcano Stables and Transportation Company is named as garnisher.

Meredee L. Duvauchelle has filed a motion in the Circuit Court to have her divorce suit against Eugene K. Duvauchelle set for trial on January 13.

J. Lightfoot has filed his annual accounts as guardian of the estate of Daniel King, a minor. He charges himself with the sum of \$1493.08 and asks to be allowed \$1389.89.

The Federal trial jury has been excused until Wednesday morning instead of this morning, as was at first announced.

The Federal grand jury will probably make a partial report this morning. This inquisitorial body has put in a great amount of work lately behind sealed doors, though the matters taken up deal mostly with the importation of women cases.

United States District Attorney Breckons swore out a complaint